

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|-----------------------------|---|--------------|
| PENN ENGINEERING & | : | |
| MANUFACTURING CORP., | : | CIVIL ACTION |
| <i>Plaintiff</i> | : | |
| | : | |
| v. | : | |
| | : | |
| PENINSULA COMPONENTS, INC., | : | No. 19-513 |
| <i>Defendant</i> | : | |

ORDER

AND NOW, this 28th day of December, 2023, upon consideration of Peninsula Components' Motion for Summary Judgment (Doc. No. 353), Penn Engineering's Motion for Summary Judgment (Doc. No. 355), all responses and replies thereto, oral argument heard on November 29, 2023, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Penn Engineering's Motion for Summary Judgment (Doc. No. 355) is **DENIED**.
2. Peninsula's Motion for Summary Judgment (Doc. No. 353) is **GRANTED** as to Penn Engineering's claims in Counts 1-5, 8-9, 13-14, and 17-19 of the Second Amended Complaint to the extent that they rely on Peninsula's website search tool.
3. Peninsula's Motion for Summary Judgment (Doc. No. 353) is **DENIED** as to Penn Engineering's claims in Counts 12 and 22 to the extent that they rely on Peninsula's sales drawings.

BY THE COURT:

s/ Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE